

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Twin Falls District  
Shoshone Field Office  
400 West F Street  
Shoshone, Idaho 83352**

**CATEGORICAL EXCLUSION REVIEW SHEET  
NEPA No. DOI-BLM-ID-T030-2014-0035-CX**

**A. Background**

The 2013 Beaver Creek Fire burned most of the vegetation on the adjacent public lands located on the south side of Greenhorn Gulch subdivision. During flood events that followed the wildfire, existing gullies upslope on BLM lands behind several properties were enlarged to divert debris flows and prevent additional damage to the structure on lot 27. This enlarged gully was on the east side of lot 27. An additional channel was constructed after the first flood events to prevent the debris from impacting neighboring properties. This channel was constructed by the property owners to convey flows to the west, away from the impacted neighbors to the east. The landowners believe the channel effectively protected structures on lot 27 during the large flood event in September 2013. The proposed action is to reclaim the channel diverting debris flow to the east and fortify and increase the size of the channel to the west. The work on the west channel would include extending it up to the gully onto public lands to help ensure capture of the debris flows and direct them away from structures on lot 27. The channel improvements are expected to be temporary and would be removed once the slopes above the property have stabilized and the threat of additional debris flows has subsided.

**B. Consideration of Extraordinary Circumstances**

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

The changes proposed to the existing channel would not have any significant impacts on public health and safety. The proposed changes to the channel would divert water, soil and debris away from private property during times of high run off. The BLM authorized officer has the ability to suspend or terminate in whole or in part the authorization if unforeseen conditions arise which result in the inadequate protection of public health and safety or undue degradation to the environment.

2. The proposed action would not have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive

Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

There are no natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation, refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; national monuments; or other ecologically significant or critical areas that would be significantly impacted by the proposed action.

A cultural resources records search and survey was conducted for the area of the proposed right-of-way on September 23, 2014. Based on the information gathered there are no eligible cultural resources located with the area of the proposed right-of-way. (Please refer to cultural resource report for additional information.)

A wildlife review of the proposal identified the right-of-way would be located within habitat known or suspected to support one or more life cycle functions of six migratory bird species that are identified as species of concern. The review also identified the area provides habitat needs for five migratory bird species identified as BLM sensitive species. The issuance of the right-of-way would result in discernable long term impacts to migratory birds. Additionally, stipulations will be included in the authorization to reduce the potential for impacts by limiting activities during critical nesting periods. (Please refer to wildlife report for additional information.)

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action is in conformance with the Sun Valley Management Framework Plan (MFP). This plan established the land use allocation and goals for the affected public land; as such, there are no unresolved conflicts regarding other uses of the available resources.

Blaine County has provided approval for the portion of the project that would occur on adjacent private property.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action does not involve highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The proposed project would increase stabilization of soils on a small area of public lands to protect private property. The proposed work is planned to be temporary and the developments would be removed after the areas vegetation and soils have recovered from the wildfire. The recovery period is expected to be approximately 3 to 5 yrs.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action does not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. The proposed action is not connected to another action that would require further environmental analysis and it would not set a precedent for future actions that would normally require environmental analysis. The decision to move forward with the proposal as described would only allow that action to occur. Any proposed future projects must be evaluated on their own merits and effects.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

The proposed action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The approval of the proposed action does not have a direct relationship with other actions.

7. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

A cultural resources records search and survey was conducted for the area of the proposed right-of-way on September 23, 2014. Based on the information gathered there are no eligible cultural resources located with the area of the proposed right-of-way. (Please refer to cultural resource report for additional information.)

8. The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.

A wildlife review of the proposal and the project area identified that listed or candidate species may occur in the proposed area and include: Canada lynx (a Threatened species) and wolverine (a Proposed Threatened species).

The Canada lynx and wolverine may use the project area, on an irregular basis during the winter months. The proposed project is not expected to result in a measurable effect in the use of the habitat or area by the Canada lynx or the wolverine.

9. The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

The BLM issues authorizations for use of public lands in accordance with Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800 and other applicable regulations. Under these regulations the proposed authorization would specify that all applicable Federal, State and local laws be adhered to. The BLM has the ability to suspend and/or terminate the authorization if a Federal, State or local law is violated. There are no tribal laws in effect for the project area.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Impacts to minority or low income populations have not occurred as a result of granting relatively similar uses of public lands and impacts are not expected to occur as a result of authorizing the proposed stabilization actions.

11. The proposed action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Authorizing the proposed stabilization actions would not change access to public lands.

12. The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

No noxious weeds were discovered within the immediate area of the proposed action. The authorization of the proposed action would require that the disturbed areas would be reseeded. The area will also be reviewed and recommended for weed treatments as determined necessary to control noxious weeds.

### **C. Consultation and Preparation**

Resource reports/surveys and review of potential impacts of the proposed action were completed by the following:

Kasey Prestwich, Realty Specialist/Project Lead  
Gary Wright, Wildlife Biologist  
Clare Josaitis, Rangeland Management Specialist  
Lisa Cresswell, Archeologist/Shoshone Field Office NEPA Coordinator